GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Infrastructure & Investment Department – Transferring assets, liabilities & responsibilities of Andhra Pradesh Maritime Infrastructure Development Corporation Limited" (APMIDCL) to AP Maritime Board and dissolve APMIDCL – Orders – Issued.

INFRASTRUCTURE & INVESTMENT (PORT.I) DEPARTMENT

G.O.Ms.No.20 Dated:20.12.2023

Read the following:

1.G.O Ms No: 37, EI&I (Ports) Dept. dated 15-11-2018
2.Andhra Pradesh Maritime Board Act, 2019 (Act 16 of 2019)
3.G.O.Ms.No.63, GA(Cabinet-II) Department dated 15-07-2020
4.G.O.Ms.No.64, GA(Cabinet-II) Department dated 15-07-2020
5.Govt. Memo.No.IN101- PORTOMISC/1/2020, dated 4-5-2020
6.Letter No: 125/APMB/2021, Dated 06-12-2021 from CEO, APMB
7.G.O.Ms.No.17, I&I (Ports) Dept., dated 11.11.2023
8.From CEO, APMB, e-office file computer No.2289316

&& &

O R D E R:

In the reference 7th read above, Government have accorded approval for taking over "Andhra Pradesh Maritime Infrastructure Development Corporation Limited" (APMIDCL) by AP Maritime Board and make APMIDCL- an 100% subsidiary of AP Maritime Board, duly acquiring the outstanding share capital of GoAP in APMIDCL and following other statutory formalities and requested the CEO, APMB & MD, APMIDCL shall take necessary action in this regard and submit the action taken report to Govt.

2. In the reference 8th read above, the CEO, APMB has submitted that the APMIDCL, entrusted with the responsibility of developing fishery related infrastructure projects, might not be able to turn profitable in the near future and further, no favourable response on the loan proposals of APMIDCL for undertaking Fishing Harbour proposals has been received. If APMB directly undertakes fishing harbour projects instead of through APMIDCL, it might be helpful in obtaining project financing as there will not be much concerns to the lenders about the borrower's insolvency and further, since fishing harbours are considered as social impact projects, APMB's investment in fishery infrastructure projects might aid the tax exemption status, if the fishery infrastructure assets are directly in the books of APMB. Further, transferring assets, liabilities, and responsibilities of APMIDCL to APMB and dissolving APMIDCL may bring administrative convenience, improve resource utilisation and reduce statutory/compliance requirements applicable for companies as it eliminates the need for running two organisations with similar objectives, separately.

3. The CEO, APMB has submitted the Process for transfer of APMIDCL Assets, Liabilities and responsibilities to APMB and Dissolving APMIDCL as follows:

i. Transfer of all existing Assets & Work in Progress of APMIDCL to APMB at Book Value

ii. Transfer of all Liabilities and payables of APMIDCL to APMB at Book Value

iii. Writing of the loan & investments provided by APMB to APMIDCL in the Books of APMB & APMIDCL as all assets & liabilities are transferred

iv. Novation of all existing contracts of APMIDCL such as EPC, PMC and other contracts to APMB

v. As there is no permanent/regular staff of APMIDCL currently, the requirement of Contract employees may be assessed and the staff whoever required may be transferred to APMB on the need basis.

vi. Winding up of APMIDCL under Section 248 of the Companies Act, 2013 following the due procedure

vii. Any consideration that may be payable by APMB to GoAP in this regard and Stamp duty implications on transfer of Assets & Liabilities by APMIDCL to APMB shall be exempted/waived off.

4. Therefore, the CEO, APMB has requested that the Government to approve transfer of Assets, Liabilities and Responsibilities of APMIDCL to APMB and dissolve APMIDCL following due procedure as mentioned in Para (3) above and entrust the Planning, Development, Construction, Operation and Maintenance of Fishing Harbours and other fishery related infrastructure and allied projects to APMB and the CEO, APMB and MD, APMIDCL may be authorised to take necessary action in this regard. On approval of the Government, APMB may take further actions towards execution and completion of Merger.

5. Government after careful examination, hereby approve the transfer of Assets, Liabilities and Responsibilities of APMIDCL to APMB and dissolve APMIDCL, duly following due procedure as provided in Para **(3)** above and other statutory rules and procedures in vogue for execution and completion of Merger.

6. Further, Government, hereby approve to entrust the Planning, Development, Construction, Operation and Maintenance of Fishing Harbours and other fishery related infrastructure and allied projects to APMB.

7. The CEO, AP Maritime Board & MD, APMIDCL shall take subsequent actions in this regard and submit the action taken report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N.YUVARAJ
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Chief Executive Officer, AP Maritime Board.
The Managing Director, Andhra Pradesh Maritime Infrastructure Development Corporation Limited" (APMIDCL)
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, AP.

Copy to:
The Finance (FMU-I&I, Energy and I&C) Dept.,
The GA(Cabinet) Dept., AP Secretariat.
The Animal Husbandry, Dairy Development & Fisheries Department, GoAP.

The Commissioner, Fisheries, GoAP
The CEO, AP Inland Waterways Authority.
The P.S. to Special Chief Secretary to Hon'ble CM.
The P.S to Hon'ble Minister for I&I
The P.S. to C.S to Govt.,
The P.S. to Spl. C.S to Govt., I&I Department.
(C.No.18021/110/2018, Comp.No.612526)

//Forwarded :: By Order//

SECTION OFFICER